

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:20-cv-00508

Henry Lee Givens,
Plaintiff,

v.

Maxey Cerliano,
Defendant.

ORDER

This civil action was referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636(b)(3). The magistrate judge issued a report and recommendation that Plaintiff's motion for leave to proceed in forma pauperis be denied, and the case be dismissed, with prejudice, for purposes of proceeding in forma pauperis pursuant to 28 U.S.C. § 1915(g). Doc. 4.

The magistrate judge further recommended that if plaintiff pays the full filing fee within fifteen days of the date of the dismissal order, the lawsuit would proceed as though the full filing fee had been paid from the outset. Doc. 4. As of the date of this order, plaintiff has not objected to the magistrate judge's findings and recommendations. *Douglass v. United States Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996) (en banc).

Having reviewed the magistrate judge's report, and being satisfied that it contains no clear error, the court **accepts** its findings and recommendation. The court **orders** that plaintiff's motion for leave to proceed in forma pauperis (Doc. 2) is **denied**. Plaintiff's civil action is **dismissed** with prejudice for purposes of proceeding in forma pauperis pursuant to 28 U.S.C. § 1915(g).

So ordered by the court on December 21, 2020.

A handwritten signature in black ink, appearing to read "J. Campbell Barker", is written over a horizontal line.

J. CAMPBELL BARKER
United States District Judge